

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK**

ROBERT VAN ECHAUTE,

Plaintiff,

-against-

Case Number:
6:09-cv-01071 (NAM/GHL)

LAW OFFICE OF THOMAS LANDIS, ESQ.,

Defendant.

MOTION FOR ATTORNEY'S FEES AND COSTS

The Plaintiff, prevailing parties under 15 U.S.C. §1692k, hereby move the Court for reasonable attorney's fees and the costs of this action. The Plaintiffs seek an award of \$4,271.50 in attorney's fees. In support, the Plaintiffs submit the following with this motion:

1. Memorandum of Law in Support of Motion for Attorney's Fees;
2. Plaintiffs' Contemporaneous Billing Records and Costs; and
3. Affidavit of Sergei Lemberg, Esq.;
4. A copy of Defendant's Offer of Judgment dated April 21, 2010; and
5. A copy of the April 28, 2010, decision of District Judge Joseph L. Tauro in Nelson v. Hecker, Civ. Act. No. 09-10513-JLT.

WHEREFORE, the Plaintiffs request that the Court award them \$4,271.50 in attorney's fees and costs in this action.

May 3, 2010

Respectfully submitted:

Robert Van Echaute

PLAINTIFF

By /s/ Sergei Lemberg

Sergei Lemberg

LEMBERG & ASSOCIATES L.L.C.

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Attorneys for Plaintiff

CERTIFICATE OF SERVICE

THIS IS TO CERTIFY that on April 19, 2010, a copy of the foregoing memorandum in support of motion for attorney's fees and costs was filed with the clerk of the Court via the Court's ECF/CM system which sent notice of such filing to the following.

Kenneth L. Gellhaus
McNamee, Lochner Law Firm
677 Broadway
Albany, New York 12207-2503

/s/ Sergei Lemberg
Sergei Lemberg